

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

MITCHELL KITCHEN,	:	
Plaintiff,	:	
v.	:	Case No. 3:09-cv-193
COMMISSIONER OF SOCIAL	:	JUDGE WALTER H. RICE
SECURITY ADMINISTRATION,	:	
Defendant.	:	

DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #21);
SUSTAINING PLAINTIFF'S MOTION FOR ALLOWANCE OF
ATTORNEY FEES UNDER 42 U.S.C. § 406(b) (DOC. #17); DIRECTING
COMMISSIONER TO PAY PLAINTIFF'S ATTORNEY FEES IN THE
AMOUNT OF \$9,051.75

Based on the reasoning and citations of authority set forth in the United States Magistrate Judge's Report and Recommendations, as well as upon a thorough *de novo* review of this Court's file and the applicable law, the Court ADOPTS the Report and Recommendations, Doc. #21, in their entirety, and SUSTAINS Plaintiff's Motion for Allowance of Attorney Fees under 42 U.S.C. § 406(b), Doc. #17. The Court notes that although the parties were advised of their right to file objections to the Report and Recommendations, no objections have been filed within the time allotted.

The Commissioner is DIRECTED to pay Plaintiff's attorney fees in the amount of \$9,051.75.

Date: March 19, 2013

A handwritten signature in black ink, appearing to read "Walter H. Rice", is positioned above a horizontal line.

WALTER H. RICE
UNITED STATES DISTRICT JUDGE